

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

MARY SIMMONS,

Plaintiff,

v.

DELTA GLOBAL SERVICES,

Defendant.

Case No. 4:19-cv-00040-SLG-KFR

**ORDER OF DISMISSAL**

Before the Court at Docket 65 is Plaintiff Simmons' motion for a continuance of the deadline for service, or, in the alternative, a dismissal of her complaint. The motion was referred to the Honorable Magistrate Judge Kyle F. Reardon. At Docket 66, Judge Reardon issued his Report and Recommendation, in which he recommended that the motion be denied and that this action be dismissed without prejudice. No objections to the Report and Recommendation were filed.

The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1). That statute provides that a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge."<sup>1</sup> A court is to "make a de novo determination of those portions of the Magistrate Judge's report or specified proposed findings or recommendations to which objection is

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<sup>1</sup> 28 U.S.C. § 636(b)(1).

made.”<sup>2</sup> However, § 636(b)(1) does not “require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”<sup>3</sup>

The Magistrate Judge recommended that the Court deny the motion for a continuance of the deadline for service, or, in the alternative, a dismissal of her complaint. The Court has reviewed the Report and Recommendation and agrees with its analysis. Accordingly, the Court adopts the Report and Recommendation in its entirety, and IT IS ORDERED that the motion for a continuance of the deadline for service is DENIED. This case is DISMISSED without prejudice. The Clerk of Court is directed to issue a Final Judgment in this case.

DATED this 12th day of March, 2025, at Anchorage, Alaska.

/s/ Sharon L. Gleason  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup> *Id.*

<sup>3</sup> *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).